

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No.: 49931-0033

Applicant(s): Edward W. MERRILL *et al.*

Confirmation No.: 8881

App. No.: 09/764,445

Examiner: Susan W. Berman

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Group Art Unit: 1796

Title: RADIATION AND MELT TREATED ULTRA HIGH MOLECULAR  
WEIGHT POLYETHYLENE PROSTHETIC DEVICES

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

United States Patent and Trademark Office  
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401 Dulany Street  
Alexandria, VA 22314

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first

cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement, therefore, no fee is required in connection with its filing.

English translations of the foreign-language documents may not be readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,



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May 19, 2008  
Date

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